

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): LARSON, Keith N.	Conf. No.: 4111
Application No.: 10/674,515	Art Unit: 2617
Filed: September 30, 2003	Examiner: CONTEE, J. K.
Title: EMERGENCY NOTIFICATION SYSTEM USING PRESENCE, TRIANGULATION, AND WIRELESS TELEPHONY	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR REVIEW BY SUPERVISORY PATENT EXAMINER
PURSUANT TO MPEP 707.02

Sir:

Section 707.02 of the MPEP provides:

The supervisory patent examiners are expected to personally check on the pendency of every application which is up for the third or subsequent Office action with a view to finally concluding its prosecution.

and

Any application that has been pending five years should be carefully studied by the supervisory patent examiner and every effort should be made to terminate its prosecution. In order to accomplish this result, the application is to be considered "special" by the examiner.

The present application has been pending for over five years. In addition, six Office Actions have issued and prosecution has been reopened after the filing of a

Notice of Appeal and Request for Pre-Appeal Brief Review. The March 19, 2009, Office Action does not address all of Applicant's arguments from the December 2, 2008, Reply. For instance, the examiner continues to rely on the theory of inherency without satisfying the requirements of MPEP 2112. It is therefore submitted that, in order to comply with MPEP 707.07(f) and answer all Applicant's arguments, a SEVENTH, Office Action will be required. Otherwise, Applicant will be forced to file a second Notice of Appeal merely to learn the basis for the present rejections.

It is respectfully requested that the examiner's SPE assist in advancing the prosecution of this application as required by MPEP 707.02 so that either claims can be allowed or a complete record can be developed for review by the Board of Patent Appeals and Interferences.

Respectfully submitted,

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Date: June 19, 2009